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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Brittany Woodman,

Plaintiff,

v.

Medicredit, Inc.,

Defendant.

Case No.: 2:22-cv-01210-JCM-BNW

**PLAINTIFF'S UNOPPOSED MOTION  
TO AMEND THE SCHEDULING  
ORDER AND FOR LEAVE TO FILE  
AMENDED COMPLAINT**

Plaintiff Brittany Woodman ("Plaintiff" or "Ms. Woodman") respectfully moves the Court for an order amending the scheduling order and giving leave for Plaintiff to file an Amended Complaint, and states the following in support thereof:

1. Plaintiff filed this lawsuit on July 27, 2022, alleging a single claim arising under the Fair Debt Collection Practices Act ("FDCPA")
2. The Court entered the Joint Proposed Discovery Plan and Scheduling Order on October 20, 2022. *See* doc. 11.
3. Pursuant to LR 26-1(b)(2), the deadline for filing motions to amend the pleadings was set for December 5, 2022.
4. The parties have engaged in good-faith discovery throughout the past three months.
5. Plaintiff recently discovered voicemail recordings left by Defendant Medicredit, Inc.

1 which she believes would give rise to a separate lawsuit brought under the Telephone  
2 Consumer Protection Act (“TCPA”).

3 6. The parties have conferred, and rather than waste judicial resources, client time, and  
4 additional attorneys’ fees instituting another lawsuit, the parties believe it would be  
5 advantageous to all involved to simply amend the current complaint to add the single  
6 TCPA claim.

7  
8 7. Very little additional discovery will be necessitated by the addition of a TCPA claim at  
9 this stage, as the subject call recordings are related to the debt out of which the original  
10 FDCPA claim arose.

11 8. The parties anticipate needing only a 60-day extension to all other pending deadlines to  
12 compensate for the filing of the amended complaint and answer, and to conduct the  
13 limited additional discovery necessitated by the addition of a single TCPA claim.  
14

15 **I. LEGAL STANDARD**

16 A moving party must show good cause to modify a scheduling order. *See* Fed. R. Civ. P.  
17 16(b)(4); *see also* *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).


18 **II. ARGUMENT**

19 Plaintiff asserts that good cause exists to amend the scheduling order to permit the filing  
20 of an amended complaint and the extension of all other pending deadlines. Addition of the TCPA  
21 claim here, as opposed to the filing of a separate lawsuit, would save substantial time and  
22 resources for both parties, as well as for the Court. A separate lawsuit would necessitate the  
23 issuance of summons, double the parties’ attorneys’ fees, and require two depositions of both  
24 Plaintiff and Defendant’s Rule 30(b)(6) witness, when the same information could be obtained  
25 through a single deposition of both.  
26  
27  
28

The undersigned has conferred with counsel for Defendant and has obtained Defendant's leave to file this motion unopposed. Defendant would also prefer to save the expense and time that a separate lawsuit would necessitate.

For the foregoing reasons, Plaintiff respectfully moves the Court for an order amending the scheduling order to extend all pending deadlines out 60-days and granting Plaintiff leave to file an Amended Complaint to add a TCPA claim.

/s/ Michael Yancey III  
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United States Magistrate Judge

- 3 -